

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

DECISION AND ORDER
04-CR-189A

RICHARD MULLEN,

Defendant.

Currently before the Court is defendant Richard Mullen's *pro se* petition seeking release, dismissal of all charges, and subrogation of bond. Although not clearly stated, he appears to argue that the Court lacks both personal and subject matter jurisdiction. The government has submitted a response in opposition to the defendant's petition. Oral argument on the petition was held on December 7, 2007.

After reviewing the submissions of the parties and hearing argument, the Court finds defendant's petition frivolous. Accordingly, the Court denies the petition in its entirety.

SO ORDERED.

s/ Richard J. Arcara
HONORABLE RICHARD J. ARCARA
CHIEF JUDGE
UNITED STATES DISTRICT COURT

December 13, 2007